

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOSHUA ADAM SCHULTE,
Defendant.

S3 17 Cr. 548 (PAC)

**REPLY MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S
MOTION TO COMPEL THE MCC TO DELIVER ALL COURT
CORRESPONDENCE AND LEGAL MAIL PROMPTLY**

Joshua Adam Schulte
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Metropolitan Concentration Camp (MCC)
150 Park Row
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I. THE COURT SHOULD COMPEL THE MCC TO DELIVER ALL COURT CORRESPONDENCE AND LEGAL MAIL PROMPTLY

The government argues in its Omnibus Opposition to the Defendant's *Pro Se* Motions that the Court should deny Mr. Schulte's motion since the government now promptly serves all Court orders, filings, and correspondence to the MCC Legal Department for Mr. Schulte. While it is true that the government now emails such documents to the MCC Legal Department for service within several days, this does not moot or foreclose the underlying issue. The government cannot intervene for *ex parte* correspondence with the Court or with privileged communication between Mr. Schulte and his standby counsel. Mr. Schulte must still rely upon the MCC for this mail. All legal mail from Mr. Schulte's standby counsel is still significantly delayed by months. Additionally, the government does not provide updates from the Court of Appeals; should Mr. Schulte seek an appeal, mandamus, or other motion in the Court of Appeals, be they filed directly or through *ex parte* channels, the government could not be a party to these communications. As addressed in the Opening Motion, several appeals have already been dismissed as have motions—all as a direct result of the MCC's deliberate delay of such mail. The Court of Appeals has very strict and rigorous deadlines, and the inability to receive mail promptly prevents Mr. Schulte from access to the Courts in direct violation of the United States Constitution and clearly established law.

Mr. Schulte does not seek outrageous relief from this Court, but simply to compel the MCC to promptly deliver Court and legal mail. Is this really such a burden and difficulty to the MCC? Is it really necessary for the government to waste the Court's time through motion practice just to oppose Mr. Schulte in such a trivial and ridiculous matter as this? There is literally no reason that the MCC cannot provide Mr. Schulte legal and Court mail within a few days.

II. CONCLUSION

For these reasons, the Court should grant the requested relief.

Dated: New York, New York

September 13, 2021

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Josh Schulte".

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